



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/938,727	08/27/2001	Seiji Sugimura	1614.1182	2759

21171 7590 12/22/2004

STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT	PAPER NUMBER
----------	--------------

2161

DATE MAILED: 12/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/938,727	Applicant(s) SUGIMURA, SEIJI	
	Examiner Etienne P LeRoux	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,6-10,13-18 and 21-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-3,6-10,13-18 and 21-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/27/01, 11/20/01, 9/10/02, 10/9/02</u> | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2161

DETAILED ACTION:

Claims 4, 5, 11, 12, 19, 20 and 24-29 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on August 6, 2004.

Claims 1-3, 6-10, 13-18 and 21-23 are pending.

Specification

The disclosure is objected to because of the following informality:

It is noted that this application appears to claim subject matter disclosed in prior Application No. PCT/JP99/01269, filed 16 March, 1999. A reference to the prior application must be inserted as the first sentence of the specification of this application or in an application data sheet (37 CFR 1.76), if applicant intends to rely on the filing date of the prior application under 35 U.S.C. 119(e) or 120. See 37 CFR 1.78(a). For benefit claims under 35 U.S.C. 120, the reference must include the relationship (i.e., continuation, divisional, or continuation-in-part) of all nonprovisional applications. Also, the current status of all nonprovisional parent applications referenced should be included.

An example of an appropriate first sentence of the specification is, for example, "This is a continuation of International Application PCT/JP/01269, filed 16 March, 1999, with an international filing data of 16 March 1999, now abandoned."

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 8-10, 15 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by US Pat No 6,505,348 issued to Knowles et al (hereafter Knowles).

Claims 1, 8, 15, 16:

Knowles discloses:

- a storage unit [Fig 35, step comprising updating or changing password implies a storage unit]
- a processing part which registers information of the information processing apparatus by transmitting to a first database of a registration center when a password input error is detected [col 12, lines 47-63, error screen implies that the input error has been detected and stored in a database, also lines 57-63 regarding establishing a new password] and stores transmission log information related to a transmission to the registration center into said storage unit [col 12, lines 60-63 reads on a transmission log]

Claims 2, 9:

Knowles discloses wherein said processing part includes means for transmitting to a second database of the registration center if the transmission log information is stored in said

Art Unit: 2161

storage unit, and for making a system lock with respect to the information processing apparatus if the information related to the information processing apparatus is registered in the first database or the second database [col 12, lines 47-55, correct password grants access, incorrect password results in error screen].

Claim 10:

Knowles discloses outputting a warning if the information related to the information processing apparatus is registered in the second database [error screen, col 12, lines 47-49]

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 6, 7, 13, 14, 17, 18 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knowles

Claim 3:

Knowles discloses the elements of claims 1 and 2 as noted above. Furthermore, Knowles discloses wherein said processing part includes means for outputting a warning if the information related to the information processing apparatus is registered [col 12, lines 47-63] but fails to disclose a second database. Official Notice is taken that a second database is well-known and expected in the art because partitioning a database into a first database and a second database is well-known and expected in the art. The skilled artisan would have been motivated to improve

Art Unit: 2161

the invention of Knowles to include a second database for the purpose of creating a separate database for an alarm signal for easy recognition and accessing.

Claim 6:

Knowles discloses a first database which registers information related to a first apparatus when notified of a password input error at the first apparatus, in response to a transmission from the first apparatus [col 12, lines 47-63], a second database which registers the information of the first apparatus when the information related to the first apparatus is notified from a second apparatus and the information related to the first apparatus is registered in said first database, in response to a transmission from the second apparatus [col 12, lines 60-63], a processing part which controls registration of information to and deletion of information from said first database and said second database [changing a password per col 12, lines 53-63]

Knowles discloses the elements of claim 6 as noted above except for a first database which records the entry of an incorrect password and a second database for recording the occurrence of the entry of an incorrect password. Official Notice is taken that a second database is well-known and expected in the art because partitioning a database into a first database and a second database is well-known and expected in the art. The skilled artisan would have been motivated to improve the invention of Knowles to include a second database for the purpose of creating a separate database for an alarm signal for easy recognition and accessing.

Claims 7 and 22:

Regarding claim 7, Knowles discloses that information can be deleted from a database [Fig 35, changing a password]

Claims 13, 14, 21 and 23:

Art Unit: 2161

Knowles discloses registering information related to a first apparatus in a database when notified of a password input error at the first apparatus, in response to a transmission from the first apparatus [col 12, lines 47-63, error screen implies that the input error has been detected and stored in a database, also lines 57-63 regarding establishing a new password], registering the information of the first apparatus in a database when the information related to the first apparatus is notified from a second apparatus and the information related to the first apparatus is registered in said first database, in response to a transmission from the second apparatus [col 12, lines 60-63 reads on a transmission log] and controlling registration of information to and deletion of information from said first database and said second database [changing a password per Fig 35]. Official Notice is taken that a second database is well-known and expected in the art because partitioning a database into a first database and a second database is well-known and expected in the art. The skilled artisan would have been motivated to improve the invention of Knowles to include a second database for the purpose of creating a separate database for an alarm signal for easy recognition and accessing.

Claim 17:

Knowles discloses causing the computer to transmit to a database of the registration center if the transmission log information is stored in said storage unit [error screen, col 12, lines 47-50]; and causing the computer to make a system lock with respect to the computer if the information related to the computer is registered [col 12, lines 47-50, access is granted if password is correct]. Official Notice is taken that a second database is well-known and expected in the art because partitioning a database into a first database and a second database is well-known and expected in the art. The skilled artisan would have been motivated to improve the

Art Unit: 2161

invention of Knowles to include a second database for the purpose of creating a separate database for an alarm signal for easy recognition and accessing.

Claim 18:

Knowles discloses causing the computer to output a warning if the information related to the computer is registered in the second database [error screen [col 12, lines 47-50]

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached on Monday – Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (571) 272-4023.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

Patent related correspondence can be forwarded via the following FAX number (703) 872-9306

Etienne LeRoux

December 15, 2004


SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100